

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DR. BONNIE SPEARMAN,
Plaintiff

v.

MARCEL LAKE ESTATES
PROPERTY OWNERS ASSOCIATION;
FRANK CAROZZA; GIL CLARK;
RICHARD HANEL; TOM
SCHWENZER; JOAN SCULLIN; and
NICKIE TOLERICO,
Defendants

No. 3:24cv1825

(Judge Munley)

(Chief Magistrate Judge Bloom)

FILED
SCRANTON

JUL 11 2025

PER JKC
DEPUTY CLERK

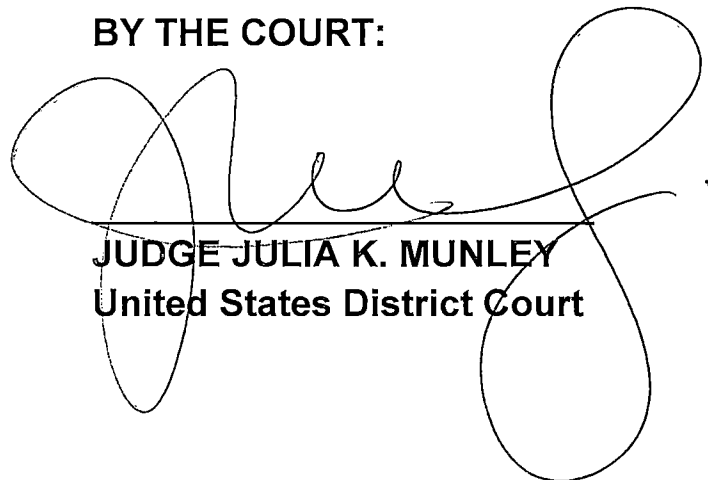
ORDER

AND NOW, to wit, this 11th day of July 2025, for the reasons set forth in an accompanying memorandum, it is hereby **ORDERED** that:

- 1) Plaintiff Dr. Bonnie Spearman's objections, (Doc. 23), to the report and recommendation ("R&R") of Chief Magistrate Judge Daryl F. Bloom are **OVERRULED**, except for her objection regarding claims asserted pursuant to the Pennsylvania Human Relations Act ("PHRA"), 43 PA. STAT. § 955(d), (e), which the court did not reach in its memorandum;
- 2) The R&R, (Doc. 22), is **ADOPTED** to the extent that it determined that the plaintiff's second amended complaint failed to state claims for violation of 42 U.S.C. § 1981 ("Section 1981") and that leave to amend these claims would be futile;

- 3) Defendant's motion to dismiss, (Doc. 14), is **GRANTED** regarding the plaintiff's Section 1981 claims;
- 4) Plaintiff's Section 1981 claims are **DISMISSED** with prejudice;
- 5) The R&R is **NOT ADOPTED** regarding its recommended disposition of plaintiff's PHRA claims;
- 6) The court declines to exercise supplemental jurisdiction over plaintiff's PHRA claims, see 28 U.S.C. § 1367(c)(3);
- 7) Plaintiff's PHRA claims are **DISMISSED** without prejudice; and
- 8) The Clerk of Court is directed to close this case.

BY THE COURT:

A large, stylized handwritten signature in black ink, likely belonging to Judge Julia K. Munley, is written over the printed name and title.

JUDGE JULIA K. MUNLEY
United States District Court